

# Senate Study Bill 1298

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR'S BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act establishing the office of renewable energy and the Iowa  
2 power fund and related provisions, and providing an effective  
3 date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2818XL 82  
6 jp/gg/14

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1 1 Section 1. NEW SECTION. 469.1 DEFINITIONS.  
1 2 For the purposes of this chapter:  
1 3 1. "Council" means the Iowa power fund partnership council  
1 4 created in section 469.4.  
1 5 2. "Director" means the director of renewable energy.  
1 6 3. "Fund" means the Iowa power fund created in section  
1 7 469.5.  
1 8 4. "Office" means the governor's office of renewable  
1 9 energy.  
1 10 Sec. 2. NEW SECTION. 469.2 OFFICE OF RENEWABLE ENERGY.  
1 11 The office of renewable energy is established in the office  
1 12 of the governor to coordinate state activities concerning  
1 13 renewable energy.  
1 14 Sec. 3. NEW SECTION. 469.3 DIRECTOR OF RENEWABLE ENERGY.  
1 15 1. A director of renewable energy shall be appointed by  
1 16 the governor, subject to confirmation by the senate, and shall  
1 17 serve at the pleasure of the governor. The governor shall  
1 18 fill a vacancy in the office in the same manner as the  
1 19 original appointment was made. The director shall be selected  
1 20 primarily for administrative ability and knowledge concerning  
1 21 renewable energy. The salary of the director shall be fixed  
1 22 by the governor.  
1 23 2. The director shall do all of the following:  
1 24 a. Direct the governor's office of renewable energy.  
1 25 b. Manage the Iowa power fund.  
1 26 c. Lead outreach and public education efforts concerning  
1 27 renewable energy.  
1 28 d. Pursue new research and investment funds from federal  
1 29 and private sources.  
1 30 e. Coordinate and monitor all existing state and federal  
1 31 renewable energy grants and programs.  
1 32 f. Advise the governor and lieutenant governor concerning  
1 33 renewable energy policy and legislation.  
1 34 g. Establish performance measures for determining  
1 35 effectiveness of renewable energy efforts.  
2 1 h. Submit an annual report to the governor and general  
2 2 assembly by November 1 of each year concerning the activities  
2 3 and programs of the office, Iowa power fund, and other  
2 4 departments related to renewable energy. The report shall  
2 5 include an assessment of needs with respect to renewable  
2 6 energy efforts.  
2 7 i. Adopt rules pursuant to chapter 17A concerning the  
2 8 office, the Iowa power fund, and the programs and functions of  
2 9 the office and the fund.  
2 10 Sec. 4. NEW SECTION. 469.4 IOWA POWER FUND PARTNERSHIP  
2 11 COUNCIL.  
2 12 1. A nine-member Iowa power fund partnership council is  
2 13 created with the following membership:  
2 14 a. The chairperson of the utilities board or the  
2 15 chairperson's designee.  
2 16 b. The director of the department of economic development  
2 17 or the director's designee.  
2 18 c. The director of the department of natural resources or  
2 19 the director's designee.

2 20 d. Six members appointed by the governor subject to  
2 21 confirmation by the senate. An appointee shall have  
2 22 demonstrated experience or expertise in one or more of the  
2 23 fields of renewable energy, biofuels, research and development  
2 24 of new technologies, commercialization of new technologies,  
2 25 and economic development.

2 26 2. The members appointed by the governor shall be  
2 27 appointed for three-year staggered terms beginning and ending  
2 28 as provided in section 69.19. A vacancy on the council shall  
2 29 be filled for the unexpired term in the same manner as the  
2 30 original appointment was made.

2 31 3. The members of the council shall be reimbursed for  
2 32 actual and necessary travel and related expenses incurred in  
2 33 the discharge of official duties. Each member of the council  
2 34 may also be eligible to receive compensation as provided in  
2 35 section 7E.6.

3 1 4. A majority of the members of the council constitutes a  
3 2 quorum, and a majority of the total membership of the council  
3 3 is necessary to act in any matter within the jurisdiction of  
3 4 the council.

3 5 5. The duties of the council include all of the following:

3 6 a. Consider and approve grants, loans, or investments made  
3 7 from the fund.

3 8 b. Advise the governor and director concerning strategic  
3 9 direction for the fund.

3 10 c. Provide the governor with advice concerning economic  
3 11 development, policy, technical issues, and strategic direction  
3 12 concerning renewable energy.

3 13 Sec. 5. NEW SECTION. 469.5 IOWA POWER FUND.

3 14 1. The Iowa power fund is created in the state treasury  
3 15 under the control of the office. The fund shall be separate  
3 16 from the general fund of the state and the balance in the fund  
3 17 shall not be considered part of the balance of the general  
3 18 fund of the state. However, the fund shall be considered a  
3 19 special account for the purposes of section 8.53, relating to  
3 20 generally accepted accounting principles.

3 21 2. The fund shall consist of appropriations made to the  
3 22 fund and other moneys available to and obtained or accepted by  
3 23 the office from federal or private sources to the credit of  
3 24 the fund. Notwithstanding section 12C.7, subsection 2,  
3 25 interest or earnings on moneys in the fund shall be credited  
3 26 to the fund.

3 27 3. Moneys available in the fund for a fiscal year are  
3 28 appropriated to the office to be used in developing or  
3 29 expanding industries involving renewable energy, alternate  
3 30 energy, no or low pollution energy technologies, biofuel,  
3 31 energy efficiency, other energy-related approaches, in  
3 32 commercializing and increasing the demand for such  
3 33 technologies and approaches, and other purposes designated in  
3 34 law for the fund.

3 35 4. Except as otherwise designated by law, the office shall  
4 1 not utilize more than three percent of the amount appropriated  
4 2 from the fund for a fiscal year for administrative costs.

4 3 5. Notwithstanding section 8.33, moneys credited to the  
4 4 Iowa power fund shall not revert to the fund from which  
4 5 appropriated.

4 6 Sec. 6. EFFECTIVE DATE. This Act, being deemed of  
4 7 immediate importance, takes effect upon enactment.

#### 4 8 EXPLANATION

4 9 This bill creates the governor's office of renewable  
4 10 energy, the position of director of renewable energy, the Iowa  
4 11 power fund partnership council, and the Iowa power fund in new  
4 12 Code chapter 469. Duties for the office, director, and  
4 13 council are specified. Grants, loans, and investments made  
4 14 from the fund are subject to approval by the council.

4 15 The bill takes effect upon enactment.

4 16 LSB 2818XL 82

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